

**REPORT OF THE AUDIT OF THE
BOONE COUNTY
SHERIFF'S SETTLEMENT - 2004 TAXES**

March 31, 2005



**CRIT LUALLEN
AUDITOR OF PUBLIC ACCOUNTS
www.auditor.ky.gov**

**105 SEA HERO ROAD, SUITE 2
FRANKFORT, KY 40601-5404
TELEPHONE (502) 573-0050
FACSIMILE (502) 573-0067**

EXECUTIVE SUMMARY
AUDIT EXAMINATION OF THE
BOONE COUNTY
SHERIFF'S SETTLEMENT - 2004 TAXES

March 31, 2005

The Auditor of Public Accounts has completed the audit of the Sheriff's Settlement - 2004 Taxes for Boone County Sheriff as of March 31, 2005. We have issued an unqualified opinion on the financial statement taken as a whole. Based upon the audit work performed, the financial statement is presented fairly in all material respects.

Financial Condition:

The Sheriff collected taxes of \$99,832,621 for the districts for 2004 taxes, retaining commissions of \$2,813,151 to operate the Sheriff's office. The Sheriff distributed taxes of \$96,906,755 to the districts for 2004 Taxes. Taxes of \$169 are due to the districts from the Sheriff and refunds of \$74,312 are due to the Sheriff from the taxing districts.

Deposits:

The Sheriff's deposits were insured and collateralized by bank securities.

CONTENTS

PAGE

INDEPENDENT AUDITOR'S REPORT	1
SHERIFF'S SETTLEMENT - 2004 TAXES	3
NOTES TO FINANCIAL STATEMENT	5
REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF THE FINANCIAL STATEMENT PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS	9



CRIT LUALLEN
AUDITOR OF PUBLIC ACCOUNTS

To the People of Kentucky
Honorable Ernie Fletcher, Governor
Robbie Rudolph, Secretary
Finance and Administration Cabinet
Honorable Gary W. Moore, Boone County Judge/Executive
Honorable Michael A. Helmig, Boone County Sheriff
Members of the Boone County Fiscal Court

Independent Auditor's Report

We have audited the Boone County Sheriff's Settlement - 2004 Taxes as of March 31, 2005. This tax settlement is the responsibility of the Boone County Sheriff. Our responsibility is to express an opinion on this financial statement based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America, the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States, and the Audit Guide for Sheriff's Tax Settlements issued by the Auditor of Public Accounts, Commonwealth of Kentucky. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statement is free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statement. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

As described in Note 1, the Sheriff's office prepares the financial statement on a prescribed basis of accounting that demonstrates compliance with the modified cash basis and laws of Kentucky, which is a comprehensive basis of accounting other than accounting principles generally accepted in the United States of America.

In our opinion, the accompanying financial statement referred to above presents fairly, in all material respects, the Boone County Sheriff's taxes charged, credited, and paid as of March 31, 2005, in conformity with the modified cash basis of accounting.



To the People of Kentucky
Honorable Ernie Fletcher, Governor
Robbie Rudolph, Secretary
Finance and Administration Cabinet
Honorable Gary W. Moore, Boone County Judge/Executive
Honorable Michael A. Helmig, Boone County Sheriff
Members of the Boone County Fiscal Court

In accordance with Government Auditing Standards, we have also issued our report dated October 5, 2005 on our consideration of the Sheriff's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards and should be considered in assessing the results of our audit.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Crit Luallen", with a long horizontal flourish extending to the right.

Crit Luallen
Auditor of Public Accounts

Audit fieldwork completed -
October 5, 2005

BOONE COUNTY
MICHAEL A. HELMIG, COUNTY SHERIFF
SHERIFF'S SETTLEMENT - 2004 TAXES

March 31, 2005

<u>Charges</u>	<u>County Taxes</u>	<u>Special Taxing Districts</u>	<u>School Taxes</u>	<u>State Taxes</u>
Real Estate	\$ 7,062,664	\$ 15,873,068	\$ 38,190,254	\$ 9,743,400
Tangible Personal Property	1,491,641	6,116,254	4,926,923	3,330,743
Intangible Personal Property				1,007,877
Increases Through Exonerations	19,421	71,068	138,702	25,020
Omitted Taxes	2,869	5,823	13,590	4,065
Franchise Corporation	2,073,510	4,398,283	7,563,247	
Distilled Spirits Taxes				
Additional Billings	257,612	534,030	821,661	19,820
Limestone, Sand, and Mineral Reserves	823	2,368	4,317	1,136
Supplemental Billings	67,336	79,856	342,408	94,031
In Lieu Of Taxes	72,684	175,783	364,449	
Penalties	27,046	59,174	142,492	41,424
Adjusted to Sheriff's Receipt	(875)	(1,170)	(4)	(1,254)
Gross Chargeable to Sheriff	<u>\$ 11,074,731</u>	<u>\$ 27,314,537</u>	<u>\$ 52,508,039</u>	<u>\$ 14,266,262</u>
<u>Credits</u>				
Exonerations	\$ 316,534	\$ 792,936	\$ 1,421,620	\$ 269,313
Discounts	147,228	382,255	733,228	239,305
Delinquents:				
Real Estate	64,651	133,466	365,932	89,150
Tangible Personal Property	7,388	25,161	23,956	17,003
Intangible Personal Property				754
Omitted, Additional, Supplemental	16,119	35,626	57,635	6,952
Uncollected Franchise	26,444	54,523	103,769	
Total Credits	<u>\$ 578,364</u>	<u>\$ 1,423,967</u>	<u>\$ 2,706,140</u>	<u>\$ 622,477</u>
Taxes Collected	\$ 10,496,367	\$ 25,890,570	\$ 49,801,899	\$ 13,643,785
Less: Commissions *	<u>446,383</u>	<u>790,582</u>	<u>996,038</u>	<u>580,148</u>
Taxes Due	\$ 10,049,984	\$ 25,099,988	\$ 48,805,861	\$ 13,063,637
Taxes Paid	10,027,862	25,115,547	48,733,434	13,029,912
Refunds (Current and Prior Year)	<u>32,665</u>	<u>13,874</u>	<u>106,407</u>	<u>33,912</u>
Due Districts or (Refunds Due Sheriff)		**	***	
as of Completion of Fieldwork	<u>\$ (10,543)</u>	<u>\$ (29,433)</u>	<u>\$ (33,980)</u>	<u>\$ (187)</u>

*, **, and *** See Page 4

The accompanying notes are an integral part of this financial statement.

BOONE COUNTY
 MICHAEL A. HELMIG, SHERIFF
 SHERIFF'S SETTLEMENT – 2004 TAXES
 March 31, 2005
 (Continued)

* Commissions:

10% on	\$ 10,000
4.25% on	\$ 40,489,413
2% on	\$ 49,801,899
1% on	\$ 9,531,309

** Special Taxing Districts:

Library District	\$ (13,761)
Health District	(1,432)
Extension District	(1,922)
Walton Fire District	(12,098)
Belleview Fire District	41
Union Fire District	(104)
Burlington Fire District	128
Pt. Pleasant Fire District	(143)
Florence Fire District	(27)
Union Ambulance District	<u>(115)</u>

Due Districts or (Refunds Due Sheriff)	<u>\$ (29,433)</u>
--	--------------------

*** School Taxing Districts:

Common School Districts	\$ (28,729)
Graded School Districts	<u>(5,251)</u>

Refunds Due Sheriff	<u>\$ (33,980)</u>
---------------------	--------------------

BOONE COUNTY
NOTES TO FINANCIAL STATEMENT

March 31, 2005

Note 1. Summary of Significant Accounting Policies

A. Fund Accounting

The Sheriff's office tax collection duties are limited to acting as an agent for assessed property owners and taxing districts. A fund is used to account for the collection and distribution of taxes. A fund is a separate accounting entity with a self-balancing set of accounts. Fund accounting is designed to demonstrate legal compliance and to aid financial management by segregating transactions related to certain government functions or activities.

B. Basis of Accounting

The financial statement has been prepared on a modified cash basis of accounting. Basis of accounting refers to when charges, credits, and taxes paid are reported in the settlement statement. It relates to the timing of measurements regardless of the measurement focus.

Charges are sources of revenue which are recognized in the tax period in which they become available and measurable. Credits are reductions of revenue which are recognized when there is proper authorization. Taxes paid are uses of revenue which are recognized when distributions are made to the taxing districts and others.

C. Cash and Investments

At the direction of the fiscal court, KRS 66.480 authorizes the Sheriff's office to invest in the following, including but not limited to, obligations of the United States and of its agencies and instrumentalities, obligations and contracts for future delivery or purchase of obligations backed by the full faith and credit of the United States, obligations of any corporation of the United States government, bonds or certificates of indebtedness of this state, and certificates of deposit issued by or other interest-bearing accounts of any bank or savings and loan institution which are insured by the Federal Deposit Insurance Corporation (FDIC) or which are collateralized, to the extent uninsured, by any obligation permitted by KRS 41.240(4).

Note 2. Deposits

The Sheriff maintained deposits of public funds with depository institutions insured by the Federal Deposit Insurance Corporation (FDIC). According to KRS 66.480(1)(d) and KRS 41.240(4), the depository institution should pledge or provide sufficient collateral which, together with FDIC insurance, equals or exceeds the amount of public funds on deposit at all times. In order to be valid against the FDIC in the event of failure or insolvency of the depository institution, this pledge or provision of collateral should be evidenced by an agreement between the Sheriff and the depository institution, signed by both parties, that is (a) in writing, (b) approved by the board of directors of the depository institution or its loan committee, which approval must be reflected in the minutes of the board or committee, and (c) an official record of the depository institution. These requirements were met, and as of March 31, 2005, the Sheriff's deposits were fully insured or collateralized at a 100% level with collateral of pledged securities held by the Sheriff's agent in the Sheriff's name.

BOONE COUNTY
NOTES TO FINANCIAL STATEMENT
March 31, 2005
(Continued)

Note 3. Tax Collection Period

A. Property Taxes

The real and personal property tax assessments were levied as of January 1, 2004. Property taxes were billed to finance governmental services for the year ended June 30, 2005. Liens are effective when the tax bills become delinquent. The collection period for these assessments was October 1, 2004 through March 31, 2005.

Note 4. Interest Income

The Boone County Sheriff earned \$34,172 as interest income on 2004 taxes. The Sheriff distributed the appropriate amount to the school district as required by statute, and the remainder will be used to operate the Sheriff's office.

Note 5. Sheriff's 10% Add-On Fee

The Boone County Sheriff collected \$194,403 of 10% add-on fees allowed by KRS 134.430(3). This amount will be used to operate the Sheriff's office.

Note 6. Advertising Costs And Fees

The Boone County Sheriff collected \$10,795 of advertising costs and advertising fees allowed by KRS 424.330(1) and KRS 134.440(2). Since the Sheriff pays for the advertising cost, he transferred the collections to the fee account to be used to operate the Sheriff's office.

Note 7. Unrefundable Duplicate Payments And Unexplained Receipts Should Be Escrowed

The Sheriff should deposit any unrefundable duplicate payments and unexplained receipts in an interest-bearing account. According to KRS 393.110, the Sheriff should properly report annually to the Treasury Department any unclaimed moneys. After three years, if the funds have not been claimed, the funds should be submitted to the Kentucky State Treasurer. For the 2004 taxes, the Sheriff had \$1,436 in unrefundable duplicate payments and unexplained receipts. Therefore, the Sheriff should send a written report to the Treasury Department.

REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON
COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF THE FINANCIAL
STATEMENT PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS



CRIT LUALLEN
AUDITOR OF PUBLIC ACCOUNTS

The Honorable Gary W. Moore, Boone County Judge/Executive
Honorable Michael A. Helmig, Boone County Sheriff
Members of the Boone County Fiscal Court

**Report On Internal Control Over Financial Reporting And On
Compliance And Other Matters Based On An Audit Of The Financial
Statement Performed In Accordance With Government Auditing Standards**

We have audited the Boone County Sheriff's Settlement - 2004 Taxes as of March 31, 2005, and have issued our report thereon dated October 5, 2005. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards issued by the Comptroller General of the United States.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Boone County Sheriff's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statement and not to provide an opinion on the internal control over financial reporting. Our consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control over financial reporting that might be material weaknesses. A material weakness is a reportable condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements caused by error or fraud in amounts that would be material in relation to the financial statement being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. We noted no matters involving the internal control over financial reporting and its operation that we consider to be material weaknesses.

Compliance And Other Matters

As part of obtaining reasonable assurance about whether the Boone County Sheriff's Settlement - 2004 Taxes as of March 31, 2005 is free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under Government Auditing Standards.



Report On Internal Control Over Financial Reporting And On
Compliance And Other Matters Based On An Audit Of The Financial
Statement Performed In Accordance With Government Auditing Standards
(Continued)

This report is intended solely for the information and use of management and the Kentucky Governor's Office for Local Development and is not intended to be and should not be used by anyone other than the specified parties.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Crit Luallen", with a long horizontal flourish extending to the right.

Crit Luallen
Auditor of Public Accounts

Audit fieldwork completed -
October 5, 2005

